

Michael Tubach (SB # 145955)
Steven E. Conigliaro (SB # 232102)
O'MELVENY & MYERS LLP
Embarcadero Center West
275 Battery Street, 26th Floor
San Francisco, CA 94111-3305
Telephone: (415) 984-8700
Facsimile: (415) 984-8701

Ian Simmons
Benjamin G. Bradshaw (SB #189925)
O'MELVENY & MYERS LLP
1625 Eye Street, NW
Washington, DC 20006-4001
Telephone: (202) 383-5300
Facsimile: (202) 383-5414

Attorneys for Defendant
CHEMTURA CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE RUBBER CHEMICALS
ANTITRUST LITIGATION

Master Docket No. C-04-1648 (MJJ)

CLASS ACTION

THIS DOCUMENT RELATES TO:

STIPULATION AND ~~PROPOSED~~
ORDER

C-03-01496 MJJ
C-03-01516 MJJ
C-03-02477 MJJ
C-03-02805 MJJ
C-03-03147 MJJ
C-03-03418 MJJ
C-03-00197 MJJ

In order to avoid the unnecessary expense of conducting discovery to establish that certain documents produced in this litigation are authentic and admissible under the Federal Rules of Evidence, including without limitation Federal Rules of Evidence 803(6) and/or 807, Defendants Chemtura (f/k/a Crompton) Corporation and Chemtura USA Corporation (f/k/a Uniroyal

1 Chemical Company, Inc.) (collectively, "Chemtura") and Class Plaintiffs Rubber and Engineering
2 Development Company, Standard Rubber Products, Inc., Polymerics, Inc., Schlegel Corporation,
3 Precision Associates, Inc., Monmouth Rubber & Plastics Corp., Industrial Rubber Products
4 L.L.C., and any other named plaintiff subsequently appearing in or participating in this litigation
5 (collectively, "Class Plaintiffs"), stipulate and agree as follows:
6

7 1. The documents identified in the attached Exhibit A were created or received as part of the
8 regular business practice of the producing parties;

9 2. The documents identified in the attached Exhibit A were created at or near the time of the
10 occurrence of the matters set forth therein by, or were made from information transmitted by, a
11 person with knowledge of those matters; and
12

13 3. The documents identified in the attached Exhibit A were kept in the course of the
14 producing parties' regularly conducted business activities.

15 4. Class Plaintiffs and Chemtura therefore stipulate and agree that each of the documents
16 identified in the attached Exhibit A meets the hearsay exception requirements under the Federal
17 Rules of Evidence, including without limitation Rules 803(6) and/or 807, and that each of the
18 documents identified in the attached Exhibit A meets the requirements for authentication or
19 identification pursuant to Federal Rule of Evidence 901 or 902.
20

21 5. Class Plaintiffs and Chemtura agree not to challenge or object in these proceedings to the
22 authenticity of any document identified in the attached Exhibit A.

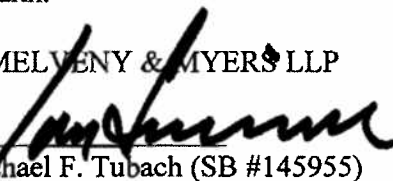
23 6. Class Plaintiffs and Chemtura also agree not to challenge or object in these proceedings to
24 the admissibility of any document in the attached Exhibit A, or its contents, on any hearsay
25 grounds or on the grounds that the document or the circumstances of its preparation lacks
26
27
28

1 trustworthiness, while reserving their rights to challenge or object to the admissibility of any
2 document in the attached Exhibit A under Federal Rules of Evidence 402 and/or 403.

3 7. Class Plaintiffs and Chemtura reserve their rights to supplement the list of documents
4 governed by this stipulation, and Class Plaintiffs and Chemtura agree to meet and confer to
5 negotiate any such supplementation in good faith.
6

7 Dated: August 8, 2006

O'MELVENY & MYERS LLP

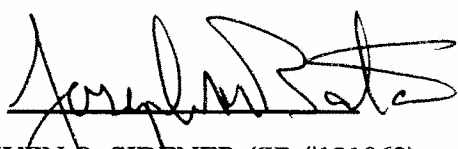
8 By: 
9 Michael F. Tubach (SB #145955)
10 Embarcadero Center West
11 275 Battery Street, 26th Floor
12 San Francisco, CA 94111-3305
13 Telephone: (415) 984-8700
14 Facsimile: (415) 984-8701

O'MELVENY & MYERS LLP

13 Ian Simmons
14 Benjamin G. Bradshaw (SB #189925)
15 1625 Eye Street, N.W.
16 Washington, D.C. 20006-4001
17 Telephone: (202) 383-5163
18 Facsimile: (202) 383-5414

Attorneys for Defendant Chemtura Corporation

19 GOLD BENNETT CERA & SIDENER LLP

20
21 By: 
22 STEVEN O. SIDENER (SB #121062)
23 JOSEPH M. BARTON (SB #188441)
24 595 Market Street, Suite 2300
25 San Francisco, California 94105-2835
26 Telephone: (415) 777-2230
27 Facsimile: (415) 777-5189
28 E-mail: sos@gbcsllaw.com

COHEN MILSTEIN HAUSFELD & TOLL, P.L.L.C.

MICHAEL D. HAUSFELD
1100 New York Avenue, N.W.
West Tower, Suite 500
Washington, DC 20005
Telephone: (202) 408-4600
Facsimile: (202) 408-4699
E-mail: mhausfeld@cmht.com

Co-Chairs of Plaintiffs' Executive Committee

IT IS SO ORDERED.

Dated: August 14, _____, 2006



MARTIN J. JENKINS
UNITED STATES DISTRICT JUDGE